

Senate Engrossed

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

CHAPTER 210

SENATE BILL 1336

AN ACT

AMENDING SECTION 13-1405, ARIZONA REVISED STATUTES; RELATING TO SEXUAL
OFFENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-1405, Arizona Revised Statutes, is amended to
3 read:

4 13-1405. Sexual conduct with a minor; classification;
5 definition

6 A. A person commits sexual conduct with a minor by intentionally or
7 knowingly engaging in sexual intercourse or oral sexual contact with any
8 person who is under eighteen years of age.

9 B. Sexual conduct with a minor who is under fifteen years of age is a
10 class 2 felony and is punishable pursuant to section 13-604.01. Sexual
11 conduct with a minor who is at least fifteen years of age is a class 6
12 felony. Sexual conduct with a minor who is at least fifteen years of age is
13 a class 2 felony if the person is the minor's parent, stepparent, adoptive
14 parent, legal guardian, ~~or~~ foster parent OR THE MINOR'S TEACHER OR CLERGYMAN
15 OR PRIEST and the convicted person is not eligible for suspension of
16 sentence, probation, pardon or release from confinement on any basis except
17 as specifically authorized by section 31-233, subsection A or B until the
18 sentence imposed has been served or commuted.

19 C. FOR THE PURPOSES OF THIS SECTION, "TEACHER" MEANS A CERTIFICATED
20 TEACHER AS DEFINED IN SECTION 15-501 OR ANY OTHER PERSON WHO DIRECTLY
21 PROVIDES ACADEMIC INSTRUCTION TO PUPILS IN ANY SCHOOL DISTRICT, CHARTER
22 SCHOOL, ACCOMMODATION SCHOOL, THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE
23 BLIND OR A PRIVATE SCHOOL IN THIS STATE.

APPROVED BY THE GOVERNOR MAY 15, 2008.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 15, 2008.